

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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| In the Matter of                 | ) |                      |
|                                  | ) |                      |
| The Use of N11 Codes and Other   | ) | CC Docket No. 92-105 |
| Abbreviated Dialing Arrangements | ) |                      |
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**COMMENTS OF AT&T CORP.**

AT&T Corp. (“AT&T”) hereby submits these Comments in response to the Commission’s Notice of Proposed Rulemaking released May 14, 2004 (“*Notice of Proposed Rulemaking*” or “*NPRM*”).<sup>1</sup> In the *NPRM*, the Commission seeks comment on various abbreviated dialing arrangements that may be used by state “One Call” notification systems pursuant to the Pipeline Safety Improvement Act of 2002 (the “Pipeline Safety Act” or the “Act”) to provide a means for excavators and the general public to notify facilities operators in advance of their intent to excavate.<sup>2</sup> AT&T believes that in implementing the requirements of the Pipeline Safety Act, the Commission should determine that a three-digit dialing arrangement must be used. In particular, rather than adopting 811 and depleting a scarce and essential N11 resource, the Commission should adopt the number “344” which spells “D-I-G” on all telephone

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<sup>1</sup> *The Use of N11 Codes and Other Abbreviated Dialing Arrangements, Notice of Proposed Rulemaking*, CC Docket No. 92-105, FCC 04-111 (rel. May 14, 2004).

<sup>2</sup> *Pipeline Safety Improvement Act of 2002*, Pub. L. No. 107-355, Section 17, 116 Stat. 2985 (2002).

keypads and is compatible with the existing wireless abbreviated dialing approach, as the applicable three-digit code.

## INTRODUCTION

In 1998, the Department of Transportation (“DOT”) established the One Call notification program to enhance public safety, protect the environment, minimize risks to excavators, and prevent disruption of the nation’s vital underground public services by reducing the occurrence of damage to these underground facilities during excavation.<sup>3</sup> States and localities have used, as part of the One Call system, numbers that contractors or property owners may call to access the local One Call Center and to notify these centers of their intent to excavate.<sup>4</sup> Upon receipt of such notice, the One Call Center transmits this information to the underground facility operators that participate in the One Call program in the area of the proposed excavation site.<sup>5</sup> Facility

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<sup>3</sup> *Transportation Equity Act for the 21<sup>st</sup> Century*, Pub. L. No. 105-178, § 6101 et seq., 112 Stat. 107 (1998). Under this program, grants are made to states to establish or to improve One Call notification systems, *id.* at § 6106(a).

<sup>4</sup> A “One Call” notification system is a communication system established by operators of underground facilities and/or state governments to provide a means for excavators and the general public to notify facility operators in advance of their intent to excavate. One Call Centers cover specified geographic areas and are generally accessed by dialing a toll-free telephone number or a local telephone number. These numbers, as well as the national referral number that callers dial to locate the appropriate One Call number for their local area, are generally toll-free. *NPRM*, para. 1.

<sup>5</sup> *Petition for Rulemaking of the United States Department of Transportation for the Allocation of a Three-Digit Telephone Number to Access Excavation Damage Prevention (One Call) Services Nationwide*, CC Docket No. 92-105, Petition for Rulemaking of the United States Department of Transportation (filed Aug. 28, 2003). There are approximately 70 One Call Centers in the United States. *Id.* at 4, fn.5. Their geographic coverage and telephone numbers are available online at [www.digsafely.com/contactlist.htm](http://www.digsafely.com/contactlist.htm).

operators that have underground facilities in the relevant geographic area then arrange for the identification and marking of their facilities.<sup>6</sup>

On December 17, 2002, President Bush signed the Pipeline Safety Act into law. The Act strengthens the federal government's support for the One Call program by requiring the DOT, in consultation with the Commission, to "provide for the establishment of a 3-digit nationwide toll-free telephone number system to be used by State one-call notification systems."<sup>7</sup> To initiate implementation of the Act, the DOT filed a Petition for Rulemaking ("DOT Petition" or "Petition") with the Commission on August 28, 2003, requesting the assignment of a three-digit toll-free telephone number to access One Call centers throughout the country.<sup>8</sup> In its Petition, the DOT specifically requested that the digits "344" (which correspond to the word "DIG" on telephone keypads and dials) be established as an abbreviated dialing arrangement for this purpose.<sup>9</sup> Alternatively, the DOT requested a substitute mnemonic three-digit number.<sup>10</sup>

In the *Notice of Proposed Rulemaking*, the Commission seeks comment on various abbreviated dialing arrangements – meaning arrangements other than conventional seven and ten-digit sequences allowing callers to dial fewer digits – that may be used to route calls to state

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<sup>6</sup> DOT Petition at 8.

<sup>7</sup> Pipeline Safety Act § 17. As the Commission notes, a "three-digit" nationwide toll-free number does not exist within the North American Numbering Plan as such. *NPRM*, para. 2, fn 8. In order to give the Pipeline Safety Act its intended effect, the Commission has interpreted the statute to require an abbreviated dialing code. *Id.* para. 1, fn. 23.

<sup>8</sup> DOT Petition at 2, 15.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 15.

One Call notification systems in compliance with the Pipeline Safety Act.<sup>11</sup> In particular, the Commission seeks comment on whether an N11 code, a code using a leading star or number sign, or another three-digit number should be assigned to comply with the Pipeline Safety Act.<sup>12</sup> The Commission's objective in initiating this proceeding is to assess various abbreviated dialing arrangements that may be used to access state One Call Centers, while minimizing any adverse impact on numbering resources.

## DISCUSSION

In January 2003, the North American Numbering Council ("NANC")<sup>13</sup> formed the Abbreviated Dialing for One Call Notification Issue Management Group (known as the "DIG IMG") to identify and analyze the impact of employing various abbreviated dialing arrangements to implement the Pipeline Safety Act.<sup>14</sup> The DIG IMG considered three possible alternatives for a three-digit code to access One Call Centers – N11 codes, codes using a leading star or number

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<sup>11</sup> One Call Centers permit anyone who will excavate using mechanized equipment to make one telephone call to give notice of plans to dig in a specific area before beginning a project. The state's One Call Center then acts as a clearinghouse to inform the owners and operators of underground facilities in the area identified and allows them to mark their facilities to prevent costly and disruptive damage to underground infrastructure. *NPRM*, para. 3.

<sup>12</sup> *NPRM*, paras. 9 and 14. *See also* Pipeline Safety Act § 17.

<sup>13</sup> The NANC is the Commission's federal advisory committee on numbering issues. The Communications Act of 1934, as amended by the 1996 Act, gave the Commission plenary jurisdiction over the North American Numbering Plan ("NANP") within the United States. 47 U.S.C. § 251(e)(1). However, as the Commission notes, numbering resource management has generally been a cooperative effort involving the Commission, the NANC, state commissions, and industry. *NPRM*, fn. 13.

<sup>14</sup> *See* Letter to William Maher, Chief, Wireline Competition Bureau, from Robert C. Atkinson, Chair, North American Numbering Council, dated December 4, 2003, at 1 ("NANC Recommendation") (adopting the Report and Recommendation of the Abbreviated Dialing for One Call Notification Issue Management Group, dated October 29, 2003 ("DIG IMG Report")).

sign, and easily recognizable codes – and provided a report and recommendation on the subject to the NANC.

The NANC concluded that the nationwide toll-free abbreviated dialing code mandated by the Pipeline Safety Act should be implemented using an N11 code, specifically 811.<sup>15</sup> Noting that “absent the statutory requirement for a three-digit code, many of [its] members would have recommended use of a single ten-digit toll-free number to implement uniform access to individual State One Call Centers,”<sup>16</sup> the NANC determined that 811 is the best alternative to comply with the statute’s requirement to use a “three-digit” number.<sup>17</sup> The NANC conceded that the use of 811 would deplete one of the few remaining N11 codes, but argued that this approach consumes fewer numbering resources than alternative abbreviated dialing arrangements, and satisfies the legislative mandate of a three-digit national number.<sup>18</sup>

AT&T believes that the NANC recommendation places insufficient emphasis on the scarcity of N11 numbering resources. N11 codes are abbreviated dialing arrangements that enable callers to connect to a location in the public switched telephone network by dialing only three digits, where “N” represents one of the digits from 2 through 9.<sup>19</sup> To facilitate N11 dialing,

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<sup>15</sup> NANC Recommendation at 1.

<sup>16</sup> *Id.* at 2.

<sup>17</sup> *Id.* The NANC reasoned that the use of 811 would have less impact on customer dialing patterns and could be implemented without the cost and delay of switch development.

<sup>18</sup> *Id.*

<sup>19</sup> *Use of N11 Codes and Other Abbreviated Dialing Arrangements, Third Report and Order and Order on Reconsideration*, CC Docket No. 92-105, 15 FCC Rcd 16753, 16755, para. 1 (2000) (“*N11 Third Report and Order*”). North American Numbering Plan numbers are ten digits in length, and they are in the format NXX-NXX-XXXX, where N is any digit from 2 through 9 and X is any digit from 0 through 9. The first three digits are referred to as “NPAs” or “area codes”. The second three digits are called “central office codes”. The

the network must be pre-programmed to translate the three-digit code into the appropriate seven or ten-digit dialing sequence, and to route the call accordingly.<sup>20</sup> Because there are only eight possible N11 codes (211, 311, 411, 511, 611, 711, 811, and 911), N11 codes are among the scarcest of resources under the Commission's jurisdiction.<sup>21</sup> To date, the Commission has assigned the 211 code for information and referral services, 311 for non-emergency police and other governmental services, 511 for travel and information services, 711 for telephone relay services for the hearing impaired, and 911 as the national emergency number.<sup>22</sup> In addition, 411, 611 and 811 are widely used by carriers, but have not been assigned by the Commission for nationwide use.<sup>23</sup> N11 codes that have not been assigned nationally can continue to be assigned for local use, provided that such use can be discontinued on short notice.

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(footnote continued from previous page)

central office code is used for routing and rating calls. The final four digits are called the "line number". NANP numbers typically are dialed on a seven-digit (without the area code) or ten-digit basis. When an abbreviated dialing code, such as N11, is used the abbreviated dialing code is translated into a ten-digit number.

<sup>20</sup> *Id.* at para. 3.

<sup>21</sup> *Id.*

<sup>22</sup> See *The Use of N11 Codes and Other Abbreviated Dialing Arrangements, First Report and Order and Further Notice of Proposed Rulemaking*, 12 FCC Rcd 5572 (1997) (assigning 311); *The Use of N11 Codes and Other Abbreviated Dialing Arrangements, Second Report and Order*, 15 FCC Rcd 15188 (2000) (assigning 711); *N11 Third Report and Order*, 15 FCC Rcd at 16753 (assigning 211 and 511); *The Use of N11 Codes and Other Abbreviated Dialing Arrangements, Fourth Report and Order and Third Notice of Proposed Rulemaking*, 15 FCC Rcd 17079 (2000) (assigning 911).

<sup>23</sup> While not formally allocated by FCC order, 411, 611, and 811 are used by a number of local service providers: 411 for local directory assistance, 611 for repair service, and 811 for local exchange carriers' business offices. See [www.nanpa.com/number\\_resource\\_info/n11\\_codes.html](http://www.nanpa.com/number_resource_info/n11_codes.html).

In 1999, various wireless service providers recognized the need for an abbreviated, easily recognizable code to assist excavators in contacting the appropriate one-call center before or during excavation. Several variations of such a code were considered, including \*344, 344#, and #344. The wireless service providers decided to select #344 (#DIG) based on several factors, including mobility (excavators can reach the appropriate center regardless of work location), the relation of the digits to the activity (DIG), and ease of use (at job sites, cellular phones are commonplace and have been for some time).

Implementation of the #344 (#DIG) code in the wireless sector has been in progress since that time. In recent years, coverage has grown noticeably due to extensive advertising, one-call center awareness efforts, and increasing acceptance by associations of excavators. Multiple publications distributed for excavation safety and guidance list #344 (#DIG) as the standard wireless method of contacting the appropriate one-call center. #344 (#DIG) now appears on websites, excavator manuals, and newsletters, and substantial resources have been expended to assist in increasing public awareness of this calling code. Departure from the DIG (344) mnemonic will negate these efforts. The adoption of an alternative code will require a re-education process for users who have been using this code successfully, and will require additional expense for the participating carriers.

It is also clear that #344 (#DIG) implementation is one of several reasons for the reduction in facility damage since 1999. AT&T is concerned with any effort that would undo this well-received and familiar program, and would be particularly concerned about the inconvenience and financial burden that would result from hampering or dismantling this program. Because vast numbers of subscribers are now familiar with #344 (#DIG), and many in the trades have already used it more than once, the likelihood that a caller will misdial the

number in an emergency situation is reduced. In the current circumstances, the Commission should stay the course and direct financial resources toward increased awareness of this already familiar and easily remembered dialing code.

Further, there is no merit to the claim that setting aside a new NPA (344) will significantly accelerate the depletion of resources within North American Numbering Plan (“NANP exhaust”).<sup>24</sup> Unlike N11 codes, whose scarcity is well established, there is an abundance of NPAs from which to choose. Moreover, NANP exhaust is by no means imminent. According to the 2003 Annual Report of North American Numbering Plan Administrator (“NANPA”), the NANP is not due to exhaust in the next *three decades*.<sup>25</sup> NANPA and Commission oversight and the rigorous criteria that must be satisfied before specialized use of an NPA can be established should ensure the judicious use of these NPAs.

The NANC claims that any alternative to 811 will increase the time needed to implement an abbreviated code.<sup>26</sup> AT&T believes, based on discussions within the DIG IMG, that significant differences in the time required for implementation will result from differences in carriers’ services and network configurations, regardless of whether 811 or 344 is adopted. In

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<sup>24</sup> *NPRM*, para. 19. *See also* DIG IMG Report, at 8 (the selection of Easily Recognizable Codes may set a precedent for using other NPAs that would accelerate NANP exhaust.)

<sup>25</sup> *See* Neustar, NANPA 2003 Annual Report, Attachment 7-2003 NANP Exhaust Projection at 56 (“Using an average CO demand rate of 7,000 codes assigned per year, the projected NANP exhaust date is 2035, assuming the quantity of NPAs available is 685”). The NANPA 2003 Annual Report can be found at [http://www.nanpa.com/reports/2003\\_NANPA\\_Annual\\_Report.pdf](http://www.nanpa.com/reports/2003_NANPA_Annual_Report.pdf).

<sup>26</sup> *NPRM*, para. 24 (“The NANC estimates that an individual carrier’s implementation time for an N11 code, such as 811, ranges from a few months to one year. Further, the NANC estimates that all other alternatives such as 344 or #344 will require switch development by some vendors, which can take one to three years before the new parameters can be released and installed [citations omitted].”) *See also* DIG IMG Report, at 11.



any event, none of these concerns can justify needless delay in the implementation of an abbreviated, easily recognizable code. Any timing and implementation concerns raised by carriers, such as those in small or remote exchanges that may be unable to upgrade their equipment in a timely or cost-effective manner, can be addressed by seeking temporary waivers of the requirement to implement abbreviated dialing.

### **CONCLUSION**

AT&T believes that the interests of the user community, the need for increased safety and reliability, and the scarcity of N11 resources all mandate that the Commission adopt “344” for the 3-digit-dialing feature mandated in the Pipeline Safety Act. Inasmuch as “344” spells out “D-I-G” on all telephone keypads, and will not result in the depletion of N11 resources, this code is the most easily recognizable and sensible choice, as well as the choice most consistent with the Commission’s goal of conserving numbering resources.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Comments of  
AT&T Corp. was served by the noted methods, the 8th day of July 2004 on the following:

/s/ Hagi Asfaw \_\_\_\_\_  
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